

**CITY OF MILPITAS
APPROVED**

PLANNING COMMISSION SUBCOMMITTEE MINUTES

August 22, 2007

**I.
ROLL CALL**

Present: Azevedo and Sandhu
Absent: None
Staff: Bejines, Hom, Kunsman and Reliford

**1. ADMINISTRATIVE
PERMIT APPROVAL
NO. AD2007-15**

Cindy Hom, Project Planner, presented a request to hold an outdoor event on September 12, 2007 for Lifescan's health fair event located at 1000 Gibraltar Drive. Ms. Hom recommended approval subject to conditions.

Motion to approve Administrative Permit Approval No. AD2007-15.

M/S: Azevedo/Sandhu

AYES: 2

NOES: 0

**2. ADMINISTRATIVE
PERMIT APPROVAL
NO. AD2007-17**

Tiffany Kunsman, Project Planner, presented a request to have a four-day event for BAPS Shri Swaminarayan Mandir Church between September 4, 2007 and September 8, 2007 from 7:00 A.M. to 8:00 P.M. located at 1430 California Circle. Ms. Kunsman recommended approval subject to conditions.

Motion to approve Administrative Permit Approval No. AD2007-17.

M/S: Sandhu/Azevedo

AYES: 2

NOES: 0

**3. "S" ZONE
APPROVAL
AMENDMENT NO.
SA2007-48**

Cindy Hom, Project Planner, presented a request to install additional accent lighting on the tower elements located on the front façade of the Town Center Safeway building located at 551 East Calaveras Boulevard. Ms. Hom recommended approval subject to conditions.

Motion to approve "S" Zone Approval Amendment No. SA2007-48.

M/S: Azevedo/Sandhu

AYES: 2

NOES: 0

II. ADJOURNMENT

The meeting was adjourned at 6:40 p.m.

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August 22, 2007

**I.
PLEDGE OF
ALLEGIANCE**

Chair Williams called the meeting to order at 7:00 P.M. and led the Pledge of Allegiance.

**II.
ROLL CALL**

Present: Ali-Santosa, Azevedo, Mandal, Sandhu, Tabladillo and Williams
Absent: Ciardella
Staff: Bejines, Pio Roda and Reliford

**III.
PUBLIC FORUM**

Chair Williams invited members of the audience to address the Commission on any topic not on the agenda, noting that no response is required from the staff or Commission, but that the Commission may choose to agendaize the matter for a future meeting.

David Unger, 1000 Hillview Court, Milpitas, representing a labor union, said that the workers at Prudential Overall Supply located at 1429 North Milpitas Boulevard are authorizing a strike that may occur in the next few weeks. The facility is in operation 24 hours a day and the strike would involve protestors all day and night. The union is in conversations with nearby businesses about the use of placing tents and grills in the parking lot to keep the strikers fed and for people staying overnight. The union is also talking with the Police Department to respect any City ordinances.

Assistant City Attorney Pio Roda suggested that Mr. Unger call the City Clerk and the City Manager to see what permits are necessary and take advisement on what the Planning Commission needs to do. He pointed out that this is a unagendaized item so it cannot be discussed tonight however the Commission could put it on the next agenda.

Chair Williams agreed with the Assistant City Attorney and asked that Mr. Unger contact the appropriate City staff.

**IV.
APPROVAL OF MINUTES
August 8, 2007**

Chair Williams called for approval of the minutes of the Planning Commission meeting of August 8, 2007.

There were no changes by staff.

Motion to approve the minutes of August 8, 2007 as submitted.

M/S: Sandhu/Mandal

AYES: 6

NOES: 0

**V.
ANNOUNCEMENTS**

Felix Reliford, Interim Planning Director, said the deadline for Centria (located on Great Mall Parkway and South Main Street) affordable housing units was on Friday, August 17th. Staff completed early tabulations and there were 441 applications; 232 were Milpitas residents, 49 worked in Milpitas and 160 were others.

APPROVED
August 22, 2007

**VI.
CONFLICT
OF INTEREST**

Assistant City Attorney Richard Pio Roda asked if the Commission has any personal or financial conflict of interest on tonight's agenda.

There were no Commissioners who identified a conflict of interest.

**VII.
APPROVAL OF
AGENDA**

Chair Williams called for approval of the agenda.

Staff had no changes to the agenda.

Motion to approve the agenda as submitted.

M/S: Azevedo/Ali-Santosa

AYES: 6

NOES: 0

**VIII.
CONSENT CALENDAR**

Chair Williams asked whether staff, the Commission, or anyone in the audience wished to remove or add any items to the consent calendar.

There were no items added to the consent calendar.

**IX.
PUBLIC HEARING**

**1. ADMINISTRATIVE
PERMIT NO. AD2007-8
(Continued from June 27,
2007)**

Felix Reliford, Interim Planning Director, presented a request to consider the revocation or modification of Use Permit No. UP2004-15 to the City Council for non-compliance with special condition of approval no. 3 that states: "This use shall not use more than seven (7) parking spaces at any time". The operation of the car rental office exceeds the number of parking spaces allocated per the use permit for Avis Rental Car located at 148 West Calaveras Boulevard. Mr. Reliford recommended that the Commission continue the item to February 27, 2008.

Chair Williams suggested that Avis Rental Car paint their parking lot stalls that state "Avis Parking Only". Mr. Reliford said that is a good idea however the property owner will not agree to it.

Kevin Monte, Horner and Singer, 1646 North California Boulevard, Suite 250, Walnut Creek, Attorney for Avis, said that his firm and the City sent a letter to the property manager requesting that they stripe seven parking spaces for Avis. The manager initially said yes however he changed his mind citing Covenant Condition Restrictions (CC&R's). He also pointed out that there are no more complaints coming from the neighbors. He said the reality of the situation is that there is plenty of parking on site however on paper, the City's zoning ordinance states that there is not enough parking. He said over the next six months, Avis will still look for another location where to put excess cars and will work with staff.

Chair Williams opened the public hearing.

There were no speakers from the audience.

Motion to continue the public hearing to February 27, 2008.

M/S: Azevedo/Ali-Santosa

AYES: 6

NOES: 0

X.
ADJOURNMENT

The meeting was adjourned at 7:21 p.m. to the next regular meeting of September 12, 2007.

Respectfully Submitted,

Felix Reliford
Principal Planner

The foregoing minutes were approved by the Milpitas Planning Commission as submitted on September 12, 2007.

Veronica Bejines
Recording Secretary